

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                              |   |                                |
|------------------------------|---|--------------------------------|
| IN RE: NATIONAL PRESCRIPTION | ) | CASE NO. 1:17-MD-2804          |
| OPIATE LITIGATION            | ) |                                |
|                              | ) | JUDGE DAN A. POLSTER           |
|                              | ) |                                |
|                              | ) | MAGISTRATE JUDGE DAVID A. RUIZ |
|                              | ) |                                |
|                              | ) |                                |
|                              | ) | <u>NOTICE OF DECISION</u>      |
|                              | ) |                                |

PLEASE TAKE NOTICE that the United States of America received a request for the disclosure of official Department of Justice (“DOJ”) information in the above-captioned case. Specifically, on January 25, 2019, DOJ received a request from counsel for Defendant Rite Aid of Maryland, Inc. d/b/a Mid-Atlantic Customer Support Center (“Rite Aid”) seeking authorization for Enforcement Administration (“DEA”) Diversion Investigator Donald Tush to testify and disclose official Department of Justice information and documents. After reviewing the request, DOJ has denied authorization for Investigator Tush to provide testimony regarding official Department of Justice information. The decision letter is attached hereto as Government Exhibit A and will be provided to the Court and all of the parties via the Court’s electronic filing system.

Respectfully submitted,

AVA ROTELL DUSTIN  
Executive Assistant United States Attorney  
Attorney for the United States  
Acting Under Authority Conferred by 28 U.S.C. § 515

By: /s/ James R. Bennett II  
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CERTIFICATE OF SERVICE

I certify that, on May 8, 2019, I filed a copy of the foregoing electronically. The Court's electronic filing system will send notice of this filing to all parties. Parties may access this filing through the Court's system.

/s/ James R. Bennett II  
JAMES R. BENNETT II  
Assistant U.S. Attorney